



# PUBLIC SCHOOLS OF NORTH CAROLINA

DEPARTMENT OF PUBLIC INSTRUCTION | Mark Johnson, *Superintendent of Public Instruction*

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## MEMORANDUM

TO: Lead Administrators, Charter Schools  
Exceptional Children Director/Coordinators, Charter Schools

FROM: William J. Hussey, Director *WJH*  
Exceptional Children Division

Dave Machado, Director *DM*  
Office of Charter Schools

RE: **Occupational Course of Study**

The Office of Charter Schools and Exceptional Children Division often receive technical assistance requests and questions regarding the provision of the Occupational Course of Study (OCS) for students with disabilities entering in or currently enrolled in a public charter school.

The following key points must be considered when providing a free, appropriate public education for students with disabilities.

- The Occupational Course of Study (OCS) is a course of study that leads to a diploma available only to students with disabilities. It is a programming option that an IEP Team may consider for any student with a disability.
- The fact that a charter school does not currently offer OCS does not exempt the IEP Team from considering it as an option.
- If an enrolled student with a disability requires OCS based on an incoming IEP, the charter school must follow the *Policies* regarding in-state transfers which includes adopting the student's IEP from the previous LEA; or, developing, adopting, or implementing a new IEP that meets applicable requirements. [NC 1503-4.4(e)]

All charter schools are subject to IDEA and must provide, for any student enrolled, a free appropriate public education (FAPE), whatever that may entail. It is possible to have a specific mission as a charter school that would be accompanied by specific enrollment criteria. Any specific mission that also requires exclusive enrollment criteria must be clearly defined, valid, and supportable both educationally and legally and must have been specifically approved by the SBE during the application process or in an amendment to the charter. In no event, however, once a student has been enrolled, may the student be denied FAPE whatever that may entail. In addition, no student may be denied admission to a charter school based upon the existence of an IEP.

For additional information, please reference the *FAQs about the Rights of Students with Disabilities in Public Charter Schools under IDEA* located on the EC Division website at <http://ec.ncpublicschools.gov/policies/nc-policies-governing-services-for-children-with-disabilities/ncdpi-communication/2016-2017/federal-programs-Updates>.

WJH/DM/cah

## EXCEPTIONAL CHILDREN DIVISION

William J. Hussey, *Director* | [bill.hussey@dpi.nc.gov](mailto:bill.hussey@dpi.nc.gov)

6356 Mail Service Center, Raleigh, North Carolina 27699-6356 | (919) 807-3969 | Fax (919) 807-3243

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